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**IN THE UNITED STATES DISTRICT COURT
IN AND FOR THE NORTHERN DISTRICT OF CALIFORNIA**

NORMAN CARVETH,
Plaintiff,

vs.

ALLIS-CHALMERS CORPORATION
PRODUCT LIABILITY TRUST, et al.,
Defendants.

No. C 08-03314 SI

[PROPOSED] ORDER GRANTING
PLAINTIFF'S MOTION TO REMAND

Date: September 19, 2008
Time: 9:00 a.m.
Dept. 10 - 19th Floor

Having considered the papers and arguments submitted in support and in opposition to Plaintiff's Motion to Remand Case to the California Superior Court, County of San Francisco, and good cause appearing:

IT IS HEREBY ORDERED that the Motion is GRANTED and this case is REMANDED to the Superior Court of the State of California, County of San Francisco, Case No. 274677. The Clerk shall send a certified copy of this Order to the Clerk of the California
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1 Superior Court, and that Court may thereupon proceed with the case. Plaintiff is awarded costs
2 and attorneys' fees pursuant to 28 U.S.C. section 1447(c).

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4 **IT IS SO ORDERED.**

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6 Dated: _____

7 Honorable Susan Illston
8 UNITED STATES DISTRICT COURT
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